

hereafter in the Extensions of Remarks.)

THE ROLE OF THE FEDERAL GOVERNMENT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent to claim the unallocated time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, from the beginning of this country, there has always been some confusion or at least debate over what is the role of the Federal Government vis-a-vis the State government.

It was President Andrew Jackson who actually derailed the Mayes Bill Road, claiming that it was wrong for the Federal Government to actually spend Federal dollars on road projects.

In the post-Civil War time is when the Federal Government started giving more and more grants to States, especially for land grant colleges, which is why so many schools have Aggies, especially in the West.

But it was in the 1960s when the Federal Government significantly increased the kinds of programs and the amount of money that was given to cash-starved States, and we ramped up ever since that time with more and more funds and more and more money that have been given to States.

Now, I was a State legislator and I understand the problems with the process if you are trying to establish a budget by the State with a four- or five- or six-to-one match, so the States can put a dollar in, and they will get \$4 or \$5 or \$6, even in some cases \$10, of Federal money back. States could easily provide services without having to raise State tax money at the same time. It is an easy thing to do.

However, once that situation took place and the States accepted the Federal money, then the requirements came in.

I still understand that we have somewhere in the State of Utah the computer system back when they were very expensive that the Federal Government required us to buy even though we did not want it, we did not need it and we did not use it, but it was a requirement for us to get vocational education funds coming to the State of Utah. As the old cliché goes, the only thing worse than an unfunded mandate is a funded mandate to the States.

Now we can simply say to the States, well, the simple answer is, quit taking the Federal money, which is like asking an addict to go cold turkey after they are hooked on the system.

State budgets have been built on Federal money. States bristle at the requirements placed upon them unfairly by the Federal Government. The Federal Government is in a constant quandary of what we do to try and con-

trol the rampant spending that we have, and all of us seem to be caught in this same financial trap.

As one of the former leaders of this House once said, sometimes if you want to get out of a trap you have to let go of the cheese.

Well, Mr. Speaker, tonight several of us would like to talk about one proposal that may indeed do that, one proposal that would turn back the power to the States the ability to have some control over their destiny, and hopefully with creativity.

As one of the NCSF task force co-chairs said about one of our education programs being mandated by the Federal Government, that it stifles State innovation, we believe the Federal Government's role has become excessively intrusive in the day-to-day operations of public education. States that once were pioneers are now captive of a one-size-fits-all education accountability system.

Now one of those things we need to do is simply go about and review the process in which we have found ourselves. States need to have the opportunity of going back and discovering if they really do want this type of money with the accountability and requirements that are attached to it.

Our good friend from Texas (Mr. CULBERSON) has introduced a bill which talks about this concept of State rights or, more appropriately, called Federalism. It would require States to take a proactive position on issues of whether they wanted to have the Federal requirements and the Federal money going at the same time.

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It would slowly have a choice or chance of having States to reinvigorate themselves and to judge for themselves whether this is the road they wish to go on, whether this is the proper approach to be, and it would allow us to reinvigorate ourselves to see if these are the types of programs we really do want to fund in the future. It would allow us for the first time to have a clear and decisive debate on the proper role of State and Federal Governments and not simply react to happenstance that has grown up over 40 years of casual and sometimes nonthoughtful behavior.

I appreciate the gentleman from Texas who will be addressing us in a few minutes on his effort to try and come up with a bill that puts this all in perspective and does exactly that by restoring the role and balance between State and Federal Governments, allowing States, if they wish to be involved in the Federal Government, to make it as a proactive, positive statement of principle they wish to do.

On the Constitution Caucus as chaired by the gentleman from New Jersey, who will also be addressing us, it is our prime effort and our indeed pleasure to be able to introduce this particular bill as one of those things we think Congress needs to address in

this particular time at this particular session.

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONESTY IN BUDGETING

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from California (Ms. WOOLSEY).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, we heard a lot of talk out here a little earlier about honesty in motions on the floor. I want to report that there has been some honesty not in the floor but to the press by the majority leader. The majority leader has finally run up the white flag. The Republicans have capitulated; they have given up. Today's Roll Call says, the majority leader says we will be here until Christmas.

Now, that is from someone who is in charge of the House that has not passed the tax reconciliation bill from the last budget that started on October 1, 2005. That is 7 months ago. And the Republicans can't run a two-car funeral. They can pass the cuts, but they can't deal with the tax bill. If you look on the list that they offer for the next session next week, possible legislation, the Tax Reconciliation Act.

Every year starts the same here. January 1, we have until April 15 to pass a budget. Then the Budget chairman goes over there, and he did it again this year, and they had this big hoo-haw and they have all kinds and they flap their arms, but they haven't passed a budget.

The law says the budget has to be in place by April 15. Well, we are about 3 weeks past that now, and if you look in the orders for next week, there it is: possible legislation, possible budget resolution.

This country is running without a budget. The Republicans do not want a budget because they don't want people to really know what this is costing. Well, what about the hole that they are digging for the American people and their children and their grandchildren? In the 6 years that the Republicans have been in charge of this House, we have raised the debt limit \$3 trillion.

These are fiscal conservatives. You know, they are very careful with nickels and dimes. They are spending like they had all the money in the world and they never had to think about paying their credit card. Well, obviously they don't intend to pay with their credit card because they can't put the tax reconciliation bill, together which

is how you pay for the credit card. No, they are going to pass it on to their children and their kids.

Now, if the average citizen in this country had a credit card and said, "You know, I am just going to spend on this credit card and spend on it, and I am never going to pay on it. What I am going to do is, when I die, I am going to will it to my son or my daughter, or my grandchildren," we would think they were the most irresponsible human beings imaginable. And yet that is what the majority leader is admitting for his party by saying we are not going to get done, we are going to have to wait until after the election.

Now, what you don't read between these lines is: If we win the election, we will have to come back and do something, because there will be a Presidential election coming in 2 years. Or, if we don't win the election and the Democrats are in charge, it is their problem.

The majority leader is admitting on behalf of all his conferees they have no plan to run this country in a systematic way.

The bill that is going to come up possibly next week, the tax reconciliation bill from October 1, 2005, has in it major tax breaks. Twice this week, once by me and once by Mr. LARSON of Connecticut, we tried to take back \$5 billion of those tax breaks away from the oil companies. The Republicans said, oh, no, no, we can't take any money away from oil companies. The country will come apart, I guess.

The profits of oil companies in the last 2 years and certainly in the last 6 months have been astronomical. They have really been obscene. Gasoline in my district, you can't find it right now for under \$3.25, and it is easy to find it for \$3.40, and yet the people on the other side say we have got to keep letting the gasoline companies, big oil, make as much money as possible at the expense of the ordinary person. The Republicans ought to get out their rubber stamp and do what the President wants, because that is the only hope they have got.

INTRODUCTION OF H.R. 3499, RETURNING CONTROL OF PUBLIC EDUCATION TO THE STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CULBERSON) is recognized for 5 minutes.

Mr. CULBERSON. Mr. Speaker, I am proud to follow my good friend from Utah and join with my colleagues from New Jersey and North Carolina tonight to speak in support of Federal legislation to restore the single most important part of our Constitution, the 10th amendment.

We all know from English class the beginning and the end of a document are the most important, and why our Constitution begins with, "We, the People," and why the Founders wrote at the very end of the Constitution a

declaration that they believed was as self-evident as saying the sky is blue: That all power not specifically delegated to the Federal Government in the Constitution was reserved to the People and the States.

The 10th amendment has been forgotten largely, and all of us as Republicans are committed to doing everything that we can to try to preserve and protect the power of the States and individuals. The way I often express it to my constituents is, I am a Republican because I want to get the Federal Government out of our lives and free us from the income tax, the most intrusive possible tax, to go to a national consumption tax to restore local control over public education, which is what we are here to talk about tonight, legislation that I filed with my colleague from Utah (Mr. BISHOP), with other colleagues here tonight from New Jersey and North Carolina.

H.R. 3499 will return control over public education to the States using a very simple concept that I can really actually best illustrate by using these three glasses of water.

If you imagine that this first glass represents we the people and the water within it all the rights, powers, and privileges given to us as individuals directly from the hand of God, the way our constitutional system works is that we the people, and I will use Texas as the example. When we the people of Texas created the Republic of Texas, we only agreed in the creation of the Republic of Texas in our constitution to give the Republic of Texas maybe that much power and reserve the rest to we the people.

When the Republic of Texas became a State at midnight December 29, 1845, and this is true of every other State in the Union, when Texas joined the Union in 1845, the State of Texas only agreed to give the Federal Government maybe about that much power. Very limited and specific.

But as a result of the war between the States, the assassination of Abraham Lincoln, the Radical Reconstruction Congress, the concentration of power in Washington, Congressmen who love to pass bills that are tough on crime and who want to protect the schools and the little children, and FDR and the New Deal, and judges like William Wayne Justice in Texas, who took over our prison system, all power today is concentrated in Washington. There is really very little, if anything, left in the States; and certainly we wonder how much individual freedom we have left.

However, what Congress can take away by statute we can restore by statute. And there is so much Federal law governing the way our public schools work that these two books, Mr. Speaker, represent the two public education titles, Title XX of the U.S. Code, and that is the other half of Title XX. Those Federal statutes that send about \$13 billion out to the States in Federal education grants are sent to the States

primarily through the education bureaucracy.

I, like Mr. BISHOP, came to the State legislature. We would meet in Texas every other year. And when we would return, we would discover that the Texas Education Agency had signed us up for some new Federal education grant program that we knew nothing about. But we now, as State legislators, had the responsibility to pay for that program. And often it was an underfunded or completely unfunded Federal mandate which we then had to come up with new money, like Mr. BISHOP mentioned for the computer.

I have been looking for a way to design a Federal law that operated automatically, like a computer virus, transferring authority over public education over these Federal grant programs automatically back to the States, transferring, and using the water glasses again, the Federal glass, by statute, control back to the States over public education automatically.

H.R. 3499 does that. It states very simply that all Federal education grant programs, other than IDEA, the Individuals with Disability Education Act, and Federal grants, for example, to Indian nations or military bases, that all other Federal education grant programs, about \$13 billion worth, go away in your State unless the State legislature passes a law and says, yes, we want the money with all the strings attached and we surrender State sovereignty or State control over public education to the extent that State law is inconsistent with Federal law.

This would do several things: First of all, obviously, it would save a lot of money, for the money that the States walk away from saying that there are too many strings. But H.R. 3499 is in the Education Committee, and I deeply appreciate the support of my colleagues in helping to bring it to the floor for a vote to restore 10th amendment control over our schools.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)